



I-70 East

PUBLIC MEETING SUMMARY

Date/Time: Wednesday, Aug. 19, 5:30-7:30 p.m.

Location: Aurora Strong Resilience Center, 1298 Peoria St., Aurora, CO 80011

Attendees: 31

1. INTRODUCTION

The I-70 East Project team and the High Performance Transportation Enterprise (HPTE) conducted public meetings Aug. 17-20, 2015, to provide important updates on the plans to reconstruct I-70 between Brighton Boulevard and I-225, as well as the next steps in the process to select a private partner to design, build, finance, operate and maintain the highway in northeast Denver.

The series of meetings included a telephone town hall (8/18) focusing on how a public-private partnership (P3) is being explored for this project and the developer selection process. Also, public meetings were held in Commerce City (8/17), Aurora (8/19) and Denver (8/20) to discuss the proposed improvements to the interstate, mitigation strategies and a possible P3 to bring these improvements to Colorado. At the meetings, the public had the opportunity to provide input on this P3 process.

The telephone town hall focused primarily on the procurement and P3 process, and featured brief comments from Project Director Tony DeVito, HPTE Executive Director Mike Cheroutes, HPTE Board member and CDOT Transportation Commissioner Shannon Gifford, and North Denver Cornerstone Collaborative Executive Director Kelly Leid. The telephone town hall hosted 3,302 inbound callers, and 19 questions were answered live. An additional six voicemails were received with questions or comments following the live call

The in-person public meetings included an open house, a PowerPoint presentation followed by a facilitated question and answer session, and returned to the open house format for the final 30 minutes. The PowerPoint presentation focused on what has changed since the Supplemental Draft Environmental Impact Statement (EIS) was released (specifically, aesthetics and mitigations), what Phase 1 of the project includes, the *de minimis* finding, what is a Request for Proposal (RFP), and the next steps in the process, including the selection of the Developer. The PowerPoint was very high-level, and most of the details were included on the exhibits in the open house. There were three ways the public could ask questions and provide comment at the meetings: one, make a verbal comment before the assembled audience (all verbal comments and questions were tracked on the script pad); two, ask questions to the project team members during the open house; and three, complete comment sheets that were provided to attendees to solicit written comments about the project.

Childcare and translators were available to all attendees.

2. PROJECT INFORMATION

The following subsections briefly describe the project.

a. Project Overview

The Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA) propose improvements to I-70 between I-25 and I-225. The National Environmental Policy Act of 1969 (NEPA) requires projects that are federally funded and may have an impact on the environment to be analyzed through a rigorous process that allows the public to comment on the project, including the aesthetics and the *de minimis*. Additionally, the HPTe follows a transparency policy that includes pre-Request for Proposal outreach to gather input on the procurement process and inform the public about the delivery method chosen – in the case of the I-70 East Project, a public-private partnership.

b. Project Purpose and Need

The purpose of the project is to implement a transportation solution that improves safety, access and mobility, and addresses congestion on I-70. The need for the project results from several issues:

- Increased transportation demand
- Limited transportation capacity
- Safety concerns
- Transportation infrastructure deficiencies

c. Identified Preferred Alternative

The Partial Cover Lowered Alternative with Managed Lanes Option has been identified as the Preferred Alternative by CDOT and FHWA. This alternative would remove the deteriorating, 50-year-old viaduct between Brighton Boulevard and Colorado Boulevard, rebuild I-70 below grade on the existing alignment, and place a nearly 4-acre landscaped cover over the highway between Columbine Street and Clayton Street next to Swansea Elementary School. It also would add managed lanes in each direction of the highway from I-25 to Tower Road to improve mobility. The cover over the highway reconnects the neighborhoods with urban landscaped areas that could include playgrounds, plazas, outdoor classrooms and community gardens, all of which have received major public support during community meetings. Feedback provided during the Supplemental Draft EIS public comment period will be considered before formally selecting the Preferred Alternative in the Final EIS.

d. Transportation Benefits

Improvements to I-70 have the potential to affect the surrounding transportation system, including other roadways, transit services, rail and motor freight, and bicycle and pedestrian facilities. All Build Alternatives will:

- Provide increased capacity and reduce congestion
- Improve safety by widening shoulders and improving interchanges
- Replace aging infrastructure
- Reduce peak-period travel time for I-70 travelers

e. Resources Presented

The following resources and topics were presented at the public meeting:

- Project Overview
- I-70 Environmental Process
- Public Involvement
- PCL Alternative
- Build Alternatives maps
- Project Alternatives Overview
- Environmental Justice and mitigation measures
- Air Quality
- Noise Walls
- North-South Connectivity
- *De minimis*
- Project Phasing
- Aesthetics
- What is a P3?
- HPTE Overview
- P3 Structure
- Upcoming Schedule

f. Next Steps

When the Final EIS is available, the formal comment period and public hearings will provide the community, stakeholders and agencies an opportunity to comment on the Final EIS. After considering additional public input following the Final EIS, a Record of Decision will be issued by FHWA that specifies the project that will be built.

Concurrently, HPTE will be selecting a Developer for the project. The four shortlisted teams will receive a Draft Request for Proposals (RFP) in September – at the same time it is released to the public. The RFP will go through several drafts, and a final one will be released in early summer 2016. Prior to the final release, HPTE will host another round of public meetings.

Construction is anticipated to begin in 2017.

3. AUG. 19, AURORA PUBLIC MEETING

Of the 31 attendees at the Aug. 19 Aurora Public Meeting, four people provided written comments, and 14 verbal comments were made.

a. Summary of Meeting Stations

The public meeting information session was divided into seven different stations manned by staff members and project technical experts to answer questions for attendees. The following stations were included:

1. **Welcome—Overview:** This station started with the sign-in table, where attendees signed in and received the evening's agenda and welcome packet. Then they were directed through a series of boards that presented a project overview, information about the I-70 East environmental process, the mitigations that changed after the Supplemental Draft EIS (SDEIS), aesthetics, HPTE and next steps.
2. **Project Alternatives:** This station presented a description of the Preferred Alternative and the Build Alternatives east of the cover. A bird's eye view of each alternative gave attendees a visual impression of what the alternatives would look like through the project area.
3. **Mitigations:** This station presented the issues and mitigations that changed since the SDEIS including air quality, connectivity, environmental justice and locations of the noise walls. Additionally, the mitigations station included information on the *de minimis* finding that required public input.

4. **Phase 1:** A map of the Phase 1 project was displayed to show exactly what was happening at each section of the corridor, and also provided information on why phasing is needed for the I-70 East Project.
5. **Aesthetics:** This station presented visuals of the aesthetics for both east-west and north-south directions and also explained why aesthetic guidelines are necessary.
6. **Right-of-Way (ROW):** Representatives from CDOT's ROW department were on site to answer specific questions about the ROW impacts and policies.
7. **What's Next/Comment Station:** This station outlined the HPTE procurement process and explained what the P3 structure is and why it's necessary. A schedule was provided that showed both the EIS and procurement next steps that lead to the construction beginning in 2017. A comment station was the last thing that attendees saw before exiting, complete with a board that documented how people could stay involved in the project.

4. SUMMARY OF PUBLIC COMMENTS

a. Written Comments

On the comment sheets we asked seven questions:

1. Do you have any comments or suggestions concerning the Identified Preferred Alternative, the Partial Cover Lowered Alternative with Managed Lanes Option, that you would like the project team to consider?
2. Do you have any questions or comments on Phase 1?
3. Do you have suggestions that should be considered as we continue to develop the Aesthetic Guidelines for the project?
4. Do you have any comments on how the project will affect the South Platte River Trail (Section 4(f) *de minimis* finding)?
5. CDOT and HPTE are pursuing a public-private partnership with a developer on the I-70 East project. The Developer will design, build, finance, maintain and operate the highway for approximately 30 years in return for a series of payments. What criteria should be considered during the RFP process in selecting a developer for the I-70 East project?
6. CDOT will always remain the owner of the highway. In the public-private partnership, HPTE will continue oversight of the developer during all phases from design to construction to maintenance. What topics are important to you and how should the developer be required to handle these areas: communication, maintenance, environmental, workforce utilization?
7. Any additional comments or questions?

There were four written comment sheets provided on the night of the Aurora meeting:

#	Comment/Question
1	1. Maybe the use of solar or geothermal to heat the streets during snow season.
2	1. I don't think this is the best design but I know we are way past this. I preferred leaving it elevated. 2. I don't think the price object will be achieved. I think you are under estimating the project. 3. I have big doubts in your traffic flow and moving traffic in the area.
3	2. Any asbestos abatement required? 3. Consult with local business and residents 5. Hopefully a local Colorado Developer 7. I would like to see local residents offered job opportunities!
4	1. Partial Cover is absolutely the best alternative. Also, managed lanes are preferred.

	<p>2. I like the aesthetic design concern addressed to E/W and N/S flow. Please keep in mind that E/W traffic can only enjoy the partial cover as open space landscaping/sculpture is provided.</p> <p>3, On the bridges (existing and reconstructed) please try to make them more interesting – lighting standards, surface design, railings, perhaps lighting design across the bridge face.</p> <p>4. No</p> <p>5. First, the Developer should not design the highway CDOT should (unless you mean engineering design). Concerns include – quality control, dispute mediation, interface and communication between CDOT/permitting and developer accountability, team adhesion and stability, continued public communication.</p> <p>6. Communication - 1. Local, 2. Through Traffic, 3. Neighborhood Impact --- all req. different forms of communication but lots of advance notice is the constant.</p> <p>Maintenance – CDOT needs to schedule regular checks and developer period to repair clearly established in consequences. And I assume there will be over run penalties re: schedule.</p> <p>7. Info on the boards should be on handouts so we can ponder it at home and write notes during meeting. Also, not everyone (believe it or not) can access the web. Also, key staff contact cards should be on table for additional questions later.</p>
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b. Verbal Comments

There were 14 public verbal comments provided on the night of the Aurora Public Meeting.

#	Comment/Question	Answer
1	What are the changes in the RFP from Draft to Final?	All versions of the RFP, including all drafts and the final, will be made public on the HPTE website.
2	How do you manage discrepancy between bidding and final design?	CDOT will oversee all aspects of the project for quality and to meet the terms of the contract. In the event of non-compliance, CDOT can withhold payment to the private partner.
3	How do you bid when engineering comes later?	The CDOT team worked to get the project to a certain level of design before beginning the procurement process. Additionally, the proposing Developer teams will also be doing their own engineering and design at-risk before submitting their proposals to ensure that their designs and estimates are accurate.
4	What if they find things above and beyond their bid during construction? Who pays if costs go up?	A key advantage of a P3 is the ability to transfer project risks and cost overruns to the private sector. The final RFP, which is essentially a contract with the Developer, will provide a final determination on risk sharing and will lock in CDOT costs. Any cost overruns occurring outside of the terms of the contract will be borne by the Developer.
5	Is this design-build with cost plus max?	This is a Design-Build-Finance- Operate- Maintain project. CDOT is seeking best value proposals for a set scope.
6	Will the reauthorization of federal highways bill impact this?	The Federal funding for this project has already been allocated and the passage of this bill would not be expected to impact project funding.
7	Is toll bonding a public offering?	CDOT will collect the toll revenues from the express lanes and will use the funds to help in the annual payments to the private partner. There will be no bond issued for this project by HPTE.
8	I live near Steele and find I-70 unusable because of back-ups. What relief is planned for the mousetrap?	The I-70 East project will restripe or reconstruct the existing lanes and add new express lanes to improve mobility along this highly congested corridor. However, the project does not include any changes to the mousetrap. The mousetrap is a relatively new structure; reconstructed around twenty years ago.

9	Can you re-open this project if you find it doesn't work in 35 years?	CDOT will continually monitor and evaluate the project during the contractual period with the private partner as well as after the term when CDOT resumes maintenance and operations of the fully rehabbed highway. In addition, this is a multi-phase project with additional work to follow should funding be identified.
10	Can you describe the similarities/differences with VA Hospital project and this one?	There are many differences between the VA Hospital project and I-70 East. As a design-build project, I-70 East will involve a single united team in the design and construction of the project. In addition, the public-private partnership model provides important protections against cost overruns.
11	What are your parameters for tolls?	HPTE will review and approve the toll schedule rate, which will be collected by CDOT/HPTE on this corridor. The tolls will be set to manage congestion, so that the tolls won't be too high that no one uses it or too low and too many people use the lane. The purpose of the express lanes is to offer choice and a reliable travel time, which is managed by setting a toll price to allow that. CDOT realizes that we can't build our way out of congestion, so tolled express lanes offer drivers choices and can help to manage traffic with additional congestion that may come to this corridor.
12	Why do you call environmental justice mitigation environmental justice? Seem to be social issues. Are you willing to re-term?	Environmental Justice is a term that comes from Executive Order 12898. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994. It is a Federal term that is used in all NEPA processes.
13	Re: Swansea Elementary: massive vacuum system? Is installation of HVAC in school a socially just measure?	An HVAC system – or heating, ventilating and air conditioning – will help to improve the air quality within the school during and after construction. This was an improvement that was decided on by Denver Public Schools, Swansea Elementary School leadership and CDOT.
14	Have you asked the community if they want school rebuilt?	Yes, we considered moving the school and researched possible relocation sites. However, after an extensive public input process the community, Denver Public Schools and Swansea Elementary School leadership requested that CDOT make improvements to the existing school.

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